

PROB12A1

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

REPORT OF OFFENDER NON-COMPLIANCE

Offender Name: James L. BRENDDEL

Docket Number: 2:00CR00584-01

Offender Address: Imperial, California

Judicial Officer: Honorable William B. Shubb
Senior United States District Judge
Sacramento, California

Original Sentence Date: 01/16/2002

Original Offense: 18 USC 1341 and 2 - Mail Fraud, Aiding and Abetting
(CLASS D FELONY)

Original Sentence: 12 mos. and 1 day BOP; 36 mos. TSR; \$100 Special
Assessment; \$22,618.00 Restitution

Special Conditions: Warrantless search; Not dissipate assets; Financial
disclosure; Financial restrictions; Mental health
treatment; Co-payment plan; Cooperate with IRS; Not
attempt to discharge restitution through bankruptcy
proceedings.

Type of Supervision: Supervised Release

Supervision Commenced: 01/24/2003

Assistant U.S. Attorney: Norman Wong **Telephone:** (916) 554-2700

Defense Attorney: Steven Bauer **Telephone:** (916) 447-8262

Other Court Action: None

RE: James L. BRENDL
Docket Number: 2:00CR00584-01
REPORT OF OFFENDER NON-COMPLIANCE

NON-COMPLIANCE SUMMARY

The purpose of this report is to advise the Court of an alleged violation of the terms of supervision. The Probation Officer has developed a plan to dispose of the alleged non-compliance with action less than revocation, and the Court is requested to approve the plan to address the non-compliance.

1. IRREGULAR FINE/RESTITUTION PAYMENTS

Details of alleged non-compliance: Although Mr. Brendel is self-employed as a boat builder and is quite gifted in this occupation, he never appeared to have been able to turn any sort of profit. Rather, Mr. Brendel continued to take on projects and was unable to finish any of them, ultimately resulting in nonpayment of any services he may have rendered. Ultimately, it was Mr. Brendel's inability to maintain any sense of order for his business and actually complete one project before jumping to the next that has resulted in minimal payments on his restitution. To exacerbate matters, he was recently evicted from his warehouse in Dixon and has relocated to Imperial County located in the Southern District of California. Although Mr. Brendel owns several thousand of dollars worth of boat building materials, it would make little to no sense to have Mr. Brendel forfeit the tools of his trade. Due to the aforementioned, it is this officer's opinion that Mr. Brendel made an honest attempt to make payments towards his restitution but that it was beyond his capabilities. The current restitution balance is \$22,103.00.

United States Probation Officer Plan/Justification: With the exception of payment of restitution in full, Mr. Brendel has satisfied all special conditions of supervision. It is recommended that his supervision be allowed to expire as scheduled on January 23, 2006. The United States Attorney's Office Financial Litigation Unit will be notified and a copy of the judgment and commitment order will be provided so that they may pursue collection as permitted by statute.

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Respectfully submitted,

/s/Matthew M. Faubert
MATTHEW M. FAUBERT
United States Probation Officer
Telephone: (916) 930-4308

DATED: January 4, 2006
Sacramento, California
MMF/cp

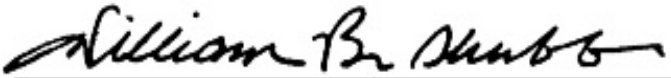
REVIEWED BY: /s/Kyriacos M. Simonidis
KYRIACOS M. SIMONIDIS

Supervising United States Probation Officer

THE COURT ORDERS:

[x] The Court Approves Probation Officer's Plan, and Orders No Further Action Be Taken At This Time.

Date: January 6, 2006



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

cc: United States Probation
Norman Wong, Assistant United States Attorney
Steven Bauer, Assistant Federal Defender

Attachment: Presentence Report (Sacramento only)